

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BYRON KNOX,)	JURY TRIAL DEMANDED
Plaintiff,)	
)	
v.)	Case No.
)	
P&B CAPITAL GROUP, LLC,)	
Defendant.)	
)	

COMPLAINT AND DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. This is an action for actual and statutory damages brought by Plaintiff, Byron Knox, an individual consumer against Defendant, P&B Capital Group, LLC, for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices, including violations of 15 U.S.C. § 1692c(c).

II. JURISDICTION AND VENUE

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) and 28 U.S.C § 1331. The venue in this District is proper in that the Defendant, P&B Capital Group, LLC, transacts business in Daleville, Alabama, and the conduct complained of occurred in Daleville, Alabama.

III. PARTIES

3. Byron Knox (hereinafter “Plaintiff”) is a natural person residing in Daleville, Alabama. Mr. Knox is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. § 1692a(3).
4. Upon information and belief, P&B Capital Group, LLC (hereinafter “Defendant”) is a debt collection agency with its principal place of business located in New York.
5. Defendant is a debt collection firm that engages in the business of collection of defaulted debts. Defendant’s principal business purpose is the collection of defaulted debts, and uses various instruments of interstate commerce to accomplish debt collection, including sending letters, calling on the phone, credit reporting, filing of lawsuits, etc.

IV. FACTS OF THE COMPLAINT

6. Plaintiff allegedly incurred a financial obligation that was primarily for personal, family, or household purposes and is therefore a “debt” as that term is defined by 15 U.S.C. § 1692a(5).
7. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C § 1692a(6).
8. On or about August 14, 2024, at 12:31 pm, Plaintiff received an email from the Defendant, which stated, "P&B Capital Group, LLC is a debt collector. We are trying to collect debt that you owe to Landmark Strategy Group. We will use any information you give us to help collect the debt."

9. On or about August 14, 2024, at 12:43 pm, Plaintiff responded via email, clearly refusing to pay the alleged debt, stating, "I decline to pay this debt or any other debt you claim I owe."
10. Despite Plaintiff's clear refusal to pay, on August 28, 2024, at 12:19 pm, Defendant sent a text message to Plaintiff from +1 (321) 273-7001, which stated, "P&B Capital Group LLC has a balance reduction for Byron Knox. Call (844) 577-1480 and claim before expiration. Ref# 6586540 Stop to Stop."
11. On or about August 28th, 2024, at 10:23 am, Plaintiff again reiterated his refusal to pay the debt by sending a text message that stated, "I am not rendering a payment for this balance or any balance I owe with you. I am having financial difficulties, and this is not a priority for me."
12. Defendant's continued collection efforts after receiving Plaintiff's refusal to pay violated 15 U.S.C. § 1692c(c), which requires debt collectors to cease communications after receiving written notice from the consumer refusing to pay the debt.
13. Plaintiff clearly instructed Defendant that Plaintiff refused to pay which means (other than the 3 exceptions, not applicable), Defendant had no right to continue to communicate with Plaintiff, but Defendant continued to do so in violation of the FDCPA.
14. Defendant had no legal right to continue to communicate with Plaintiff after the refusal to pay text message by Plaintiff to Defendant pursuant 15 U.S.C. § 1692c(c).

15. All of the above-described actions by Defendant and collection agents of Defendant were made in violation of the FDCPA as alleged below.
16. The conduct of the Defendant has proximately caused Plaintiff damages.

**V. CLAIM FOR RELIEF
(Violation of 15 U.S.C. § 1692c(c) by P&B Capital Group, LLC)**

17. Plaintiff re-alleges and incorporates by reference the preceding paragraphs as though fully set forth herein.
18. Defendant violated 15 U.S.C. § 1692c(c) by continuing to attempt to collect the debt after receiving Plaintiff's written notice refusing to pay the debt.
19. As a result of Defendant's violations of the FDCPA, Plaintiff has suffered actual damages, including but not limited to, invasion of privacy, intrusion upon seclusion, loss of productivity, emotional distress, wasted time, anger, anxiety, and other negative emotions.
20. As a result of the above violations of the FDCPA, the Defendant is liable to Plaintiff for actual damages, statutory damages, and costs.

VI. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against the Defendant for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C § 1692k(a)(1);
- C. Statutory damages pursuant to 15 U.S.C § 1692k(a)(2)(A);
- D. Cost and reasonable attorney's fees pursuant to 15 U.S.C 1692k(a)(3);

E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted this the 27th of September 2024.

/s/ Noelle Sillmon
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